



By: s/Theresa M. Gallion by  
s/Jeffrey J. Harmon per telephone  
authorization of 6/23/04  
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TRIAL ATTORNEYS FOR  
DEFENDANTS

**MEMORANDUM IN SUPPORT OF DEFENDANTS' MOTION TO  
REMOVE EXHIBITS AND FOR LEAVE TO FILE REDACTED EXHIBITS**

Defendants Hyatt Corporation ("Hyatt"), Ty Helms, Brian J. Booth and Jack Horne (collectively "Defendants"), submit this Memorandum in Support of Defendants' Motion to Remove Exhibits and for Leave to File Redacted Exhibits, and state as follows:

On June 8, 2004, Defendants filed Defendants' Motion in Limine to Exclude Expert Opinion and Report of Harvey S. Rosen which includes Exhibits A through C (Doc. 79). Exhibits A through C are filed as part two (2) to Document No. 79 in the Court's Electronic Filing System.

On June 9, 2004, Ms. Tempamn Thomas, Docket Deputy, advised the undersigned counsel for Defendants, Jeffrey J. Harmon, that an exhibit in Document No. 79 contained privacy information. Defendants have filed this Defendants' Motion to Remove Exhibits and for Leave to File Redacted Exhibits after consulting with Ms. Thomas regarding the appropriate procedure for addressing this matter.

Therefore, Defendants respectfully request that the Court grant Defendants' Motion to Remove Exhibits and for Leave to File Redacted Exhibits.

DATED this 23<sup>rd</sup> day of June 2004.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 23, 2004, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to Stanley M. Chesley, Esq. and Robert Steinberg, Esq., Waite, Schneider, Bayless, & Chesley Co., L.P.A., 1513 Central Trust Tower, Cincinnati, Ohio, 45202, Michael J. O'Hara, Esq., O'Hara, Ruberg, Taylor, Sloan & Sergeant, 209 Thomas More Park, Suite C, P.O. Box 17411, Covington, Kentucky 41017-0411, and John S. Marshall, Esq. and Edward R. Forman, Esq., Marshall and Morrow LLC, 111 West Rich Street, Suite 430, Columbus, Ohio 43215-5296.

s/Jeffrey J. Harmon  
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